

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TYCO INTERNATIONAL LTD. and
TYCO INTERNATIONAL (US) INC.,

Plaintiffs/Counterclaim Defendants,

v.

L. DENNIS KOZLOWSKI,

Defendant/Counterclaim Plaintiff.

Civil Action No. 02-cv-7317 (TPG)

**DECLARATION OF MARK L. LEVINE
IN SUPPORT OF TYCO'S MOTION TO QUASH SUBPOENA TO JANE GREENMAN**

I, Mark L. Levine, a partner with Bartlit Beck Herman Palenchar & Scott LLP and counsel for Plaintiffs Tyco International Ltd. and Tyco International (US) Inc. (collectively "Tyco"), respectfully submit this declaration in support of Tyco's Motion to Quash Subpoena to Jane Greenman, and declare under penalty of perjury as follows:

1. Attached hereto as Exhibit A is a true and correct copy of the Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action, addressed to Jane Greenman in the instant matter, dated July 12, 2012.
2. Attached hereto as Exhibit B is a true and correct copy of excerpts of the deposition of Jane Greenman taken on February 1, 2007.
3. Attached hereto as Exhibit C is a true and correct copy of the Joint Pretrial Order in the instant matter, dated July 30, 2012.

Signed this 8th day of August, 2012 in Chicago, Illinois.

/s/ Mark L. Levine
Mark L. Levine

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of August, 2012, I electronically filed the foregoing Declaration of Mark L. Levine in Support of Tyco's Motion to Quash Subpoena to Jane Greenman with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following e-mail addresses:

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/s/ Mark L. Levine
By Counsel